

1626

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Ralf SCHWEINFURTH et al.:

Serial No.: 09/743,758

Examiner: SHIAO, Rei Tsang

Filed: January 16, 2001

Group Art Unit: 1626

For: COLORATION WITH PEARLY LUSTER PIGMENTS IN THE FOOD AND
PHARMACEUTICAL SECTORS

REQUEST TO WITHDRAW IMPROPERLY ISSUED
REQUIREMENT FOR RESTRICTION

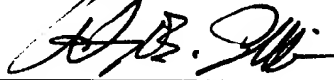
Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of a Requirement for Restriction mailed June 8, 2005. However, this Requirement for Restriction references claims and a formula which do not exist in the claims, thus, it is evident that this Restriction Requirement belongs to a different case, and has been erroneously issued herein. In a telephone conference with the Examiner in June, 2005, the situation was explained and Applicants were assured that the Restriction Requirement will be withdrawn and the application processed in accordance with the withdrawal from issue granted on May 25, 2005. However, to date, no further action has been forthcoming. It is respectfully requested that the Restriction Requirement be withdrawn, and this action application be correctly processed.

Inasmuch as the Restriction Requirement was issued in error, and clearly pertains to another case, it is submitted that no extension of time is necessary in the present application, and none is authorized from Applicants' Deposit Account.

Respectfully submitted,



Harry B. Shubin (Reg. No. 32,004)
Attorney for Applicant(s)

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